

MAY 8 2007

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

MUR 5797

GUILLAUME de RAMEL

2007 MAY -8 A 10: 03

CASE CLOSURE UNDER THE
ENFORCEMENT PRIORITY SYSTEM

GENERAL COUNSEL'S REPORT

Under the Enforcement Priority System, matters that are low-rated

are forwarded to the Commission with a recommendation for dismissal. The

Commission has determined that pursuing low-rated matters compared to other higher rated matters on the Enforcement docket warrants the exercise of its prosecutorial discretion to dismiss these cases.

The Office of General Counsel scored MUR 5797 as a low-rated matter. In this case, the complainant alleges that the respondent Guillaume de Ramel, who was a Democratic candidate for Rhode Island's Secretary of State, violated 2 U.S.C. § 441f by making a \$1,000 contribution, on his wife's behalf, to the Bush/Cheney '04 campaign committee from his individual bank account. The complainant submitted a copy of the check allegedly used to make the contribution and it contains only Mr. de Ramel's name and signature. The complainant notes that the respondent told a newspaper that the contribution was from a joint checking account with his wife and that he wrote the check on behalf of his wife. The respondent later appeared to recant the statement in a radio talk show interview. The respondent did not respond to the complaint notification.

1 It is unclear from reviewing the transcript of the statements the respondent made to
2 the radio talk show host whether the respondent made the contribution from a joint checking
3 or individual bank account. The respondent first indicated that he shared an account with his
4 wife, but also indicated that he wrote the check and was the only one in the family with
5 money in any bank account. One possible reading of the respondent's statements to the
6 radio talk show host is that he was the only person at the time the political contribution was
7 made who had made deposits to the joint checking account held by him and his wife.

8 In light of the de minimis nature of the allegations presented in MUR 5797 and in
9 furtherance of the Commission's priorities and resources, relative to other matters pending on
10 the Enforcement docket, the Office of General Counsel believes that the Commission should
11 exercise its prosecutorial discretion and dismiss the matter. *See Heckler v. Chaney*, 470 U.S.
12 821 (1985).

13 **RECOMMENDATION**

14 The Office of General Counsel recommends that the Commission dismiss MUR
15 5797, close the file effective two weeks from the date of the Commission vote, and approve
16 the appropriate letters. Closing the case as of this date will allow CELA and General Law


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and Advice the necessary time to prepare the closing letters and the case file for the public record.

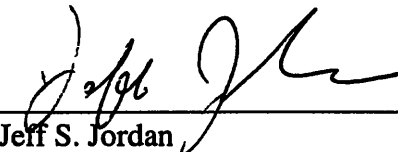
Thomasenia P. Duncan
Acting General Counsel

5/8/07
Date

BY:



Gregory R. Baker
Special Counsel
Complaints Examination
& Legal Administration



Jeff S. Jordan
Supervisory Attorney
Complaints Examination
& Legal Administration

Attachment:
Narrative in MUR 5797

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5 **MUR 5797**

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7 **Complainant:** Ralph A. Mollis

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9 **Respondents:** Guillaume de Ramel

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12 **Allegations:** Complainant alleges that Guillaume de Ramel made a \$1,000 contribution,
13 on his wife's behalf, to the Bush/Cheney '04 campaign committee from his individual
14 bank account. The complainant notes that the respondent told a newspaper that the
15 contribution was from a joint checking account with his wife and that he wrote the check
16 on behalf of his wife, but later recanted the statement in a radio talk show interview.
17 Thus, the complainant asserts that the respondent violated 2 U.S.C. § 441f by allowing
18 his name to be used to facilitate a contribution to a federal committee, which was actually
19 made by his wife.

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21 **Date complaint filed:** August 21, 2006

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23 **Responses filed:** No response submitted.

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